REMARKS

This paper is responsive to an Office Action mailed November 13, 2006. Before this amendment, claims 11-30 were pending. Applicant has amended claims 11-17, 19-23, 25, and 28-30. No claims have been cancelled or added. Accordingly, claims 11-30 are still pending in the present application. Reconsideration and allowance of claims 11-30 are respectfully requested.

A. Rejection under 35 USC 103 – Lee and Mathai

The Examiner rejected claim 11 under 35 U.S.C. § 103(a) as unpatentable over Lee (US 6,590,887) in view of Mathai (6,697,422). Applicant respectfully submits that nether Lee, nor Mathai, nor a combination of the two, teaches or suggests every element of claim 11 and that claim 11 is allowable.

Claim 11 recites a system for Short Message Service (SMS) character encoding comprising "an optimizing subsystem with an input to accept an SMS message, an input to accept an evaluation control signal, and an output to supply an optimizing signal responsive to SMS message character encoding requirements prior to character encoding of the SMS message". Applicant respectfully submits that Lee does not teach or suggest this feature. The encoder/decoder 16 in Lee is a PCS or CDMA chip for signal encoding before modulation and transmission and is not a character encoder. Mathai discloses a system for encoding control messages not Short Message Service (SMS) messages. SMS message are not control messages. In the last office action, the Examiner states that "'control messages' are equivalent to 'SMS message'". (Office Action dated 11/13/06, Page 3 line 15). Applicant respectfully submits that this characterization is inaccurate. SMS messages include information that represents text and characters while control messages do not represent text or characters. Further, claim 11 is directed to character encoding for SMS messages. Mathai does not teach or suggest any methods for character encoding. The "encoding" discussed in Mathai relates to signal encoding not to character encoding. Accordingly, applicant respectfully submits that neither Lee, nor Mathai, nor a combination of the two, teach or suggest every limitation of claim 11 and that claim 11 is allowable.

Regarding claims 12-18, these claims depend from claim 11 which applicant submits are allowable. Accordingly, claims 12-18 are at least allowable for the reason that they depend from an allowable base claim.

B. Rejection under 35 USC 103 – Lee, Mathai, and Moskowitz

Claims 12-17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lee in view of Mathai further in view of Moskowitz (US 5,249,220). Applicant respectfully submits that neither Lee, nor Mathai, nor Moskowitz, nor any combination of the three, teaches or suggests every element of any one of claims 12-17.

Claims 12-17 depend from claim 11 which recites that a selection of the SMS character encoding format is performed "prior to character encoding of the SMS message". As discussed above, neither Lee nor Mathai discusses character encoding. Selection of an encoding format in Moskowitz is performed after the message is encoded with each format. Moskowitz explicitly states that the "transmitter encodes the message that is to be sent to the receiver **according to each format**. The format which requires the fewest number of binary bits to represent the entire message is selected as the character encoding format" (Column 12, lines 3-7, emphasis added). Therefore, the message must be encoded prior to selecting the format resulting in the fewest bits and selection of the format is after encoding. Accordingly, Moskowitz does not teach or suggest selecting the format "prior to encoding the SMS message" as claimed.

C. Rejection under 35 USC 103 – Lee, Mathai, Moskowitz and Wolf

Claim 18 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Lee in view of Mathai further in view of Moskowitz (US 5,249,220), further in view of Wolf (US 5,844,922). Applicant respectfully submits that neither Lee, nor Mathai, nor Moskowitz, nor Wolf, nor any combination of the four, teaches or suggests every element of claim 18. Claim 18 depends from claim 11 which recites that a selection of the SMS character encoding format is performed "prior to character encoding of the SMS message". As discussed above with reference to claim 11, neither Lee nor Mathai discusses character encoding. Further, Moskowitz does not teach or suggest selecting a format prior to character encoding a message. Wolf discusses convolutional encoders

used for CDMA signal encoding. Wolf does not discuss character encoding for SMS messages.

D. Rejection under 35 USC 103 –Mathai and Moskowitz

The Examiner rejected claims 19-21, 23-24, and 28-30 under 35 U.S.C. § 103(a) as unpatentable over Moskowitz in view of Mathai (6,697,422). Applicant respectfully submits that neither Mathai, nor Moskowitz, nor a combination of the two, teaches or suggests every element of any one of claims 19-21, 23-24 and 28-30 and that these claims are allowable.

Independent claim 19 recites a method of character encoding a SMS message comprising "prior to encoding the SMS message, selecting the SMS character encoding format based on a wireless device resource requirement of the encoded SMS message". Applicant respectfully submits Moskowitz does not teach or suggest this step. Moskowitz explicitly states that the "transmitter encodes the message that is to be sent to the receiver **according to each format**. The format which requires the fewest number of binary bits to represent the entire message is selected as the character encoding format" (Column 12 lines 3-7, emphasis added). Therefore, the message must be encoded prior to selecting the format resulting in the fewest bits.

Mathai discloses a system for encoding control messages not Short Message Service (SMS) messages. As discussed above, SMS message are not control messages. Further, Mathai does not teach to select a character encoding format based on the wireless devices resources. Mathai discusses selecting a signal encoding format for control signals based on channel resources. Channel resources are not wireless device resources. Accordingly, applicant respectfully submits that neither Moskowitz, nor Mathai, nor a combination of the two, teach or suggest every limitation of claim 19 and that claim 19 is allowable.

Independent claim 28 recites "a Short Message Service (SMS) character encoding system configured to generate an encoded SMS message by encoding a SMS message using a SMS character encoding format and, prior to encoding the SMS message, selecting the SMS character encoding format based on a resource requirement of the encoded SMS message". As discussed above, neither Moskowitz,

nor Mathai, nor a combination of the two, teaches or suggests selecting a SMS character encoding format prior to encoding an SMS message. Accordingly, applicant respectfully submits that the combination of references does not teach or suggest every element of claim 28 and that claim 28 is allowable.
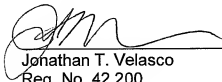
Regarding claims 20-27, and 29-30 these claims depend from either claim 19 or claim 28 which applicant submits are allowable. Accordingly, claims 20-27 and 29-30 are at least allowable for the reason that they depend from an allowable base claim.

E. Conclusion

For all the foregoing reasons, allowance of claims 11-30 is respectfully requested. If necessary, applicant requests, under the provisions of 37 CFR 1.136(a) to further extend the period for filing a reply in the above-identified application and to charge the fees for a large entity under 37 CFR 1.17(a). The Director is authorized to charge any additional fee(s) or any underpayment of fee(s) or credit any overpayment(s) to Deposit Account No. 50-3001 of Kyocera Wireless Corp.

Respectfully Submitted,

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Jonathan T. Velasco
Reg. No. 42,200

Jonathan T. Velasco
Kyocera Wireless Corp.
Attn: Patent Department
P.O. Box 928289
San Diego, California 92192-8289
Tel: (858) 882-3501
Fax: (858) 882-2485